

Message Text

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ACTION EA-09

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E.O. 11652: N/A

TAGS: PINT KS

SUBJ: KIM CHI HA TRIAL--NINTH SESSION

REF: SEOUL 7568

1. NINTH SESSION KIM CHI HA TRIAL TOOK PLACE ON SEPTEMBER 28. DEFENSE TOOK ALL OF MORNING AND PART OF AFTERNOON MAKING DETAILED REVIEW OF 8 VOLUMES OF KIM'S NOTES WHICH HAD BEEN SEIZED AS EVIDENCE. DEFENSE ATTEMPTED TO SHOW THAT KIM ADVOCATED NONVIOLENT CHANGE NOT VIOLENT REVOLUTION.
2. DEFENSE THEN PROPOSED THAT COURT ACCEPT 15 ASSORTED DOCUMENTS FOR STUDY IN CONNECTION WITH CASE INCLUDING BIBLICAL PASSAGES, PAPAL ENCYCLICALS, TRANSCRIPT OF PEOPLES REVOLUTIONARY PARTY TRIAL, AND ARTICLES FROM VARIOUS PUBLICATIONS. COURT ACCEPTED DOCUMENTS.
3. DEFENSE ASKED COURT TO CALL FOUR MORE WITNESSES AND STUNNED COURT BY ASKING THAT CARDINAL KIM BE CALLED AS "SPECIAL DEFENSE COUNSEL"--EVIDENTLY A ROLE ANALAGOUS TO AN EXPERT WITNESS OR AMICUS CURIAE. JUDGES DELIBERATED FOR 10 MINUTES AND RULED THAT NO FURTHER WITNESSES WOULD BE CALLED.
4. AT THIS POINT, KIM CHI HA ROSE AND CHALLENGED COURT CLAIMING THAT BY REJECTING DEFENSE CALL FOR MORE WITNESSES COURT DEMONSTRATED ITS BIAS AGAINST HIM. COURT ORDERED KIM AND DEFENSE

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LAWYER TO SUBMIT CHALLENGE IN WRITING WITHIN 3 DAYS FOR CONSIDER-

ATION OF APPELLATE COURT. COURT SUSPENDED TRIAL SINE DIE.
POSSIBLY COURT MAY CONTINUE SUSPENSION UNTIL APPELLATE COURT
RULES ON THIS CHALLENGE.
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